



02/05/04

# RCE

**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. §1.114**

Appln No.: 09/945,537  
Filed: August 30, 2001  
First Named Inventor: Panagiotis Kinigakis  
Title: Fastener Closure Arrangement For Flexible Packages  
Art Unit: 3727  
Examiner: Jes F. Pascua

Attorney Docket No.: 67369

Customer No.: 22242

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) of the above-identified application under 37 C.F.R. §1.114.

1. Submission required under 37 C.F.R. §1.114:

a. Previously submitted:

- ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_.
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_.
- ☐ Other:

b. Enclosed:

- ☐ Amendment/Reply
- ☐ Affidavit(s)/Declaration(s)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

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Date of Deposit 2-4-04

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

EDWARD PRICE (Typed or printed name of person mailing)

Edward Price  
(Signature of person mailing)

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TECHNOLOGY CENTER R3700

☒ Information Disclosure Statement (IDS)

☐ Other:

2. Additional Items:

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. *(Period of suspension shall not exceed three months; Fee under 37 C.F.R. §1.17(i) required.)*

☐ A petition for extension of time is enclosed.

☒ A return receipt postcard is enclosed.

☐ Other:

☐ Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27).

☒ RCE Fee required under 37 C.F.R. § 1.17(e) without a claim of small entity status is: \$750.00.

☐ RCE Fee required under 37 C.F.R. § 1.17(e) by an entity claiming small entity status is: \$375.00.

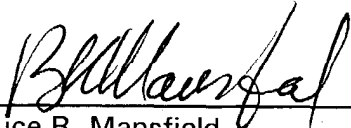
☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

☒ Charge \$ 750.00 to Deposit Account No. 06-1135.

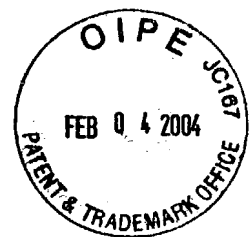
☒ The Director is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Director is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in duplicate.

February 4, 2004

Date

  
\_\_\_\_\_  
Bruce R. Mansfield  
Registration No. 29,086

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PATENT  
ATTORNEY DOCKET NO. 67369

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: **Kinigakis et al.**  
Serial No.: **09/945,537**  
Filed: **August 30, 2001**  
Title: **FASTENER CLOSURE ARRANGEMENT  
FOR FLEXIBLE PACKAGES**  
Group  
Art Unit: **3727**  
Examiner: **Jes F. Pascua**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"Express Mail" Mailing Label Number

**EL 48505938045**

Date of Deposit **2-4-04**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

**EDWARD PRICE**

(Typed or printed name of person mailing)

**Edward Price**

(Signature of person mailing)

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This is a Supplemental Information Disclosure Statement being submitted in accordance with 37 C.F.R. § 1.97 and § 1.98 in connection with the above-identified application. Also enclosed herewith is PTO/SB/08A Substitute for Form PTO-1449 and copies of any non-U.S. patent documents or non-patent literature cited therein, the above-captioned patent application being filed after June 30, 2003.

**Other Prior Art-Non Patent Literature Document**

Exhibit A shows drawings of a package used by the Assignee of the present invention, which is admittedly prior art with respect to the above captioned patent application. Exhibit A includes three figures describing a package which is prior art with respect to the above-captioned patent application.

"Hefty's Plastic Zipper Bag Is Rapping Rivals", by Dean Starkman, article in The Wall Street Journal, date unknown.

**Foreign Patent Documents. Patent(s)**

Foreign Patent Document  
Country Code<sup>3</sup>-Number<sup>4</sup>-  
Kind Code

Publication Date  
MM-DD-YYY

Name of Patentee or  
Applicant of Cited  
Document

7-112746

5/2/95

7-187202  
WO 98/24704  
WO 98/45180  
EP 1 164 0847 A2  
WO 01/96195 A!

7/25/95  
6/11/98  
10/15/98  
12/19/01  
12/20/01

Tenneco Packaging, Inc.  
KCL Corporation (Thieman et al.)  
Reynolds Cons. Prod., Inc.  
Reynolds Cons. Prod., Inc.

**REMARKS**

It is respectfully requested that the Examiner accept and consider the above documents and make them of record in the above-captioned application. Copies of the non-patent literature documents and foreign patent documents were previously provided in applicants 6<sup>th</sup> supplemental information disclosure statement mailed May 12, 2003 (indicated as received by the U.S. PTO and a postcard date stamped May 14, 2003) and in a response to notice of allowability mailed December 4, 2003 (and indicated as being received by a postcard receipt stamped by the U.S. PTO December 8, 2003). As a convenience to the examiner, copies of the foreign patent documents and non-patent literature cited herein are enclosed.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

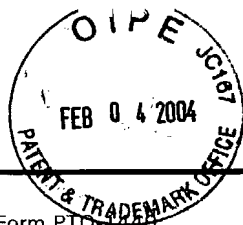
By: 

Bruce R. Mansfield

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Date: **FEB 04 2004**

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PTO/SB/08A Substitute for Form PTO-1258		Application Number		09/945,537	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Filing Date		August 30, 2001	
		First Named Inventor		Kinigakis et al.	
		Art Unit		3727	
		Examiner Name		Jes F. Pascua	
Sheet	1	of	1	Attorney Docket	67369

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Exhibit A shows drawings of a package used by the Assignee of the present invention, which is admittedly prior art with respect to the above captioned patent application. Exhibit A includes three figures describing a package which is prior art with respect to the above-captioned patent application	
		"Hefty's Plastic Zipper Bag Is Rapping Rivals", by Dean Starkman, article in <u>The Wall Street Journal</u> , date unknown	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		7-112746	5/2/95			
		7-187202	7/25/95			
		WO 98/24704	6/11/98	Tenncco Packaging, Inc.		
		WO 98/45180	10/15/98	KCL Corporation (Thieman et al.)		
		EP 1 164 087 A2	12/19/01	Reynolds Cons. Prod., Inc.		
		WO 01/96195 A1	12/20/01	Reynolds Cons. Prod., Inc.		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered; whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.  
<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.